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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/883,137	06/15/2001	Mark L. Nelson	GAZ-065CP

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

CONFIRMATION NO. 8277

## FORMALITIES LETTER



\*OC00000006412275\*

Date Mailed: 08/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Repln. Ref: 03/15/2002 SSAALEKU 0007231300  
DAH: 120080 Name/Number: 09883137  
FC: 704 \$162.00 CR

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$4076.
  - \$3726 for 207 total claims over 20.
  - \$80 for 1 independent claims over 3.
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 4916.

Adjustment date: 03/15/2002 SSAALEKU  
02/05/2002 NMOHANNI 00000050 09883137  
03 FC:103 1206.00 DP

A copy of this notice **MUST** be returned with the reply.

03/15/2002 SSAALEKU 00000004 09883137

01 FC:103

1044.00 DP

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/18/2002 SSAALEKU 00000004 120080 09883137

01 FC:103

126.00 CH

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\* Admitted in NY only  
\*\* Passed the Patent Bar Examination  
\*\*\* Admitted in TX only

January 10, 2002

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/883,137  
Title: *7-Phenyl Substituted Tetracycline Compounds*  
Inventor: Mark L. Nelson and Mohamed Y. Ismail  
Filed: June 15, 2001  
Our Ref: GAZ-065CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Nonprovisional Application (2 pages, in duplicate);
2. An Executed Declaration, Petition and Power of Attorney (6 pages);
3. Copy of the Formalities Letter (1 page);
4. Preliminary Amendment (2 pages);
5. Request for Three-Month Extension of Time (1 page, in duplicate);
6. Checks for \$2,440.00 (missing parts) and \$920.00 (extension of time);
7. An acknowledgement postcard.

Please charge any underpayments or credit any overpayments to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

January 10, 2002

Date

Elizabeth A. Hanley, Esq., Reg. No. 33,505

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Elizabeth A. Hanley, Esq.  
Registration No. 33,505

EAH:CMS:bjj  
Enclosures



#3

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS  
ORIGINALLY FILEDIn re the application of: Mark L. Nelson and  
Mohamed Y. Ismail

Serial No.: 09/883,137

Filed: June 15, 2001

For: 7-Phenyl Substituted Tetracycline Compounds

Attorney Docket No.: GAZ-065CP

Group Art Unit: 1614

Examiner: Not yet assigned

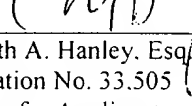
COPY

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on the date set forth below.

January 10, 2002

Date of Signature and of Mail Deposit

By:   
Elizabeth A. Hanley, Esq.  
Registration No. 33.505  
Attorney for Applicants**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated August 10, 2001, Applicants' attorney submits herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$2,440.00 is enclosed to cover the total amount

owed by Applicant including \$130.00 surcharge, \$740.00 basic filing fee, \$1,290.00 additional claim fee, and \$280.00 multiple dependant claim surcharge based on large entity status. A copy of the Formalities Letter is also enclosed.

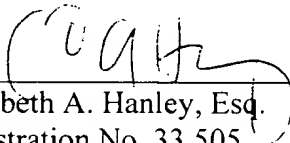
The filing fee, based on the Preliminary Amendment submitted herein, has been calculated as shown below:

	(Col. 1)	(Col. 2)					
FOR:	NO. FILED	NO. EXTRA	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
BASIC FEE	////////////////////		RATE	FEE	OR	RATE	FEE
TOTAL CLAIMS	87 - 20	= 67	////////	\$	OR	////////	\$ 740
INDEP. CLAIMS	4 - 3	= 1	x 9=	\$	OR	x 18=	\$ 1206
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			x 42	\$	OR	x 84	\$ 84
			+140	\$	OR	+280	\$ 280
			TOTAL	0	OR	TOTAL	\$2310.00

\* If the difference in Col. 2 is less than zero, enter "0" in Col. 2.

Please charge any deficiencies or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this letter is enclosed.

Respectfully submitted,

  
Elizabeth A. Hanley, Esq.  
Registration No. 33,505  
Attorney for Applicants

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Dated: January 10, 2002